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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL MCGINNIS and
CYNDY BOULTON, individually,
and on behalf of all others similarly
situated;

Plaintiffs,

v.

COMMUNITY.COM, INC.;

Defendant.

Civil Case No.: 2:23-cv-2426- SB-JPR

**PLAINTIFF CINDY BOULTON'S
STATEMENT OF RECENT DECISION
RELATING TO MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

1 Plaintiff Cindy Boulton (“Plaintiff”) submits this Statement of Recent Decision
2 to inform the Court of the September 7, 2023 Order on Motion to Dismiss issued by
3 Judge William H. Orrick in *Doe v. Meta Platforms, Inc.*, No. 22-cv-03580-WHO
4 (N.D. Cal. Sept. 7, 2023).

5 Plaintiff attaches a true and correct copy of Judge Orrick’s Order as Exhibit 1.

6 The *Doe v. Meta Platforms, Inc.* Order is relevant to the portion of Defendant
7 Community.com, Inc.’s Motion to Dismiss Plaintiff’s Complaint where it argues that
8 Plaintiff fails to state a CIPA section 632 claim because “Community’s software is not
9 a ‘device.’” (ECF Nos. 32 & 56). *See Doe v. Meta Platforms, Inc.*, No. 22-cv-03580-
10 WHO at *10-11.

11 The motion is fully briefed and set for hearing on September 15, 2023. (ECF
12 No. 55).

13
14 Dated: September 14, 2023

LIPPSMITH LLP

15 By: /s/ Graham B. LippSmith
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